FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.5485 OF 2005
AND
WRIT PETITION NO.7056 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

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Shri Rajiv Patil and Anand Kulkarni for the petitioners.

Shri H.A.Solkar for Respondent Nos.6 to 13.

Shri Rohan Gawaskar i/by S.M. Gorwadkar for Respondent Nos. 2 to 5.

Coram : R.S.Mohite,J

Date : 02.12.2005.

PC

1. Writ petition No.5485/2005 is filed challenging an order dated 19.7.2005 passed by the C.J.S.D. Panvel, permitting further cross-examination on behalf of respondent nos.6 to 13 in Misc.Application No.268/2001. After this petition was filed the aforesaid application again

appeared for cross-examination on 3.9.2005 and on that day the Advocate for the petitioner in Writ Petition No.7056/2005 remained absent and adjournment was sought. By an order dated 3.9.2005 the C.J.S.D., Panvel, directed that the cross-examination was closed. The petitioners in Writ Petition No.7056/2005 had challenged this order dated 3.9.2005 closing the cross-examination. I am informed by both sides that application is fixed for further hearing on 17.12.2005. After hearing both sides, I think that the interest of justice would be met if the Advocate for defendant nos.6 to 13 is allowed to cross-examine respondent no.3-Alhaj M.Mustafa Yakub Baig. Mr.Solkar appearing in Writ petition no.7056/2005 gives an assurance and undertaking on behalf of his client that no further time will be sought on 17.12.2005. The Court hearing

the matter is directed to take up the matter and to ensure that the cross-examination will be commenced on the next date i.e. on 17.12.2005. The Advocate appearing for the original applicant states that this matter has come to this Court on several occasions and hence there was a delay. In the circumstances, it is directed that the Civil Misc.Application No.268/2001 will be decided expeditiously and in any case before 30.6.2006. Advocate for the petitioners in Writ petition no.7056/2005 assures the Court that his client will co-operate with the Court and will not seek further adjournment. Subject to these directions, petition is disposed of.

(R.S.Mohite,J)